

Virtual Training for Permanent Child Care Sanitation Rules- June 21, 2023

Questions from Training:

1. Will CEHB be creating sample permission forms for these new written permission requirements? *No, CEH will not be creating templates for written permission requirements per these rules.*
2. Does it matter where the thermos is stored?
Hot foods that a child brings from home in a doubled-walled, insulated thermos container may be stored outside refrigeration with the written permission of the parent or guardian. In addition, thermos containers must be stored in accordance with food storage rule .2806(f) and .2806(g) to protect the food from potential contamination.
3. Is foam soap allowed to be used from dispenser? *Foam soap is allowed.*
4. Is a Head Start a Franchise? *Head Start is not considered a franchise for purposes of these rules. In addition, Head Starts do not have prototype floor plans.*
5. Are you going to issue marking instructions like in Food Code for where to mark?
15A NCAC 18A .2834(c) list the violations of the rules and the demerits that are to be assigned to these violations during the sanitation inspection.
6. Can we define individually packaged?
Items that are individually packaged are those items that are commercially packaged or individually portioned and wrapped for use by a single individual. Bulk food items that are separated, portioned, and bagged in an approved area/kitchen for single individual use are also considered "individually packaged" for purposes of these rules. Lunches from home are not considered individually packaged.
7. Does it have to be an actual thermos or can it be a double walled food storage container?
Any approved double walled (thermos like) insulated food containers (not a bag) are acceptable if provided by the parents with written permission.
8. Do all of these go into effect July 1st with childcare centers being evaluated using the new form?
The rules along with the new evaluation form have an effective date of July 1, 2023. We recommend using the first inspection cycle to educate operators on new rule requirements.
9. When will rules use 41F instead of 45F?
Child care rules have not adopted 41 degrees F as a cold hold temperature. Changing to 41F will need to occur during a rules rewrite process, which due to timeframes and restraints, was not able to happen during this rule readoption process. Some challenges that will have to be addressed to adopt 41 degrees in child care centers are food sent from home will not be received at 41F and domestic refrigerators will not be able to maintain 41F. This issue will be revisited in the future during the rules rewrite process.
10. Would you say that hand sanitizer is a TYPE of hand antiseptic? *Yes.*
11. If the salt is in a salt box that says salt does it still have to be manually labeled?
No. Rule .2806(e) requires dry goods stored in containers be labeled. The rule is primarily intended to address dry good removed from the original packaging, but a manufacturer label is acceptable.
12. We have several centers with refrigerators only holding lunch boxes that are not in an approved food prep area. Is this #4 - 6 pt or #5 - 5 pt?

This would be a storage issue under #5 on the evaluation sheet. However, # 8 on the evaluation sheet would be most applicable for not meeting the equipment specifications required for a food preparation area including a handwash lavatory.

13. Are we no longer allowed to use the mini refrigerators for food/milk storage?

Dorm size refrigerators are still allowed for use in child care centers. However, per these new rules, there are situations in which full-size refrigerators are required. .2804(c) requires frozen human milk stored beyond 7 days and up to three months be stored in the freezer compartment of a full-size refrigerator as an option. Also, .2806(d) requires bulk food be stored in a refrigerator in the child care center's kitchen or in an approved food preparation area equipped with a full-size refrigerator.

14. Are improperly stored raw items in refrigerators and freezers marked under Item# 4 instead of Item# 5?

Rule .2806(h) requires raw meats, poultry, fish, shellfish and eggs be stored in a refrigerator or freezer on shelving beneath and separate from other foods. This violation would be marked under item # 5 for improper storage.

15. Is a ponytail an approved hair restraint?

No. A ponytail is not an approved hair restraint. See .2807(b) that states hair restraints are set out in Part 2- 402.11 of the Food Code incorporated by reference at NCAC 18A .2650.

16. No "roast" thermometer is clear. But Dial-top food probe thermometer not acceptable? Since we adopted Food Code for food establishments, we've typically continued to allow the non-thin probe thermometer to be used for items such as soups or sauces. We also require the thin probes if they have thin foods. So, should we ask them to remove the ones that are not thin probe or only use them for water temps? Rule doesn't specify Digital food probe Thermometer.

Dial top thermometers are still acceptable for temping things such as water. However, according to rule .2806(k)(1), a metal stem THIN PROBE thermometer shall be used to check internal food temperatures. The rule also requires the thermometer to be numerically scaled. The numbers can be digital or analog.

17. Will there be a guidance document that we would be able to share with our child care centers?
Yes. Children's Environmental Health will be creating and posting a summary document for the new permanent child care sanitation rules.

18. Can you define "substrate damage"?

Substrate damage is defined as damage or deterioration to the base layer or an underlying layer of an item, a structure, equipment; etc. These items would not be considered in good repair per definition in these rules.

19. Do the highchair feeding trays have to be cleaned in the kitchen or the sink room? Does 2812 (e) contradict .2810? Can highchair feeding tray can be washed in the two-compartment sink in the food prep area in the classroom, or it has to be sent to the kitchen? Will you please clarify?

There is no contradiction of rule .2812(e) and .2810. Rule .2812(e) clarifies that multi-service articles, including highchair feeding trays, shall be washed, rinsed and sanitized in the child care center kitchen after each use. .2810(a) now specifies that a child care center may wash highchair feeding trays in a two compartment sink (a three comp sink is not required for highchair trays). Please note that many two compartment sinks in food prep areas located in the classroom are used to meet the handwash sink requirement for a food preparation area. Food prep areas in

classrooms do not meet the requirements of a kitchen such as 120 degree water which is a critical violation if accessible to children in a classrooms.

20. Are you saying the second food prep sink need to have the same hot water as the kitchen in order to wash the highchair trays? We have a hand wash sink and a separate food prep sink. Just want to be clear, are you saying the water should be 120 in that room in order to wash the food trays?

A food prep handwash lavatory in a food prep area is for handwashing not for washing dishes. High chair feeding trays have to be washed in the kitchen in a two compartment sink which is a dishwashing sink and not allowed to be used as a handwash lavatory. Minimum temperature in a two compartment dishwashing sink is 120F water and must also be inaccessible to children.

21. Do we need a log when making disinfectant?

A log is not required when making disinfectants or sanitizers. Rules .2812(i) and .2812(j) require chlorine solutions of disinfectants and sanitizers be prepared for use within 24 hours.

22. Is there any clarification or policy on food prep lessons or preparation of food by children for their own consumption? *See the below policy.*

<https://ehs.dph.ncdhhs.gov/hhccehb/cehu/ccs/docs/CC-12-21-04-ChildrenPreparingFood.pdf>

23. Will we be checking for MSDS sheets and if so, were do we mark if they do not have them?

Rules .2812(i) and .2812(j) requires the Material Safety Data Sheets for both sanitizers and disinfectants be kept on file and instructions followed for use. If MSDS for sanitizers are not kept on file then this is marked under #11 for sanitizers and marked under #26 for disinfectants. Requirement for MSDS sheets for certain disinfectants is not a new requirement.

24. Why did we keep the 120F for water in kitchen and laundry since food code had washing water at 110F?

Several factors weighed on this decision. Reference documents including CDC and "Caring for Our Children" recommended a temperature higher than 110 degrees for cleaning and sanitizing laundry in child care settings. Moreover, current child care rules require water temperatures be verified at point of use. Food Code reference is for temperatures in the basin be 110F when actively washing dishes. This would require higher than 110F at point of use. Moreover, most child care centers are not actively washing dishes during inspections so a basin temperature would be difficult to verify for compliance. This issue may be revisited in future rules re write.

25. Where is the definition of a disinfecting solution?

An "approved disinfectant" is defined in rule .2801(2) and further referenced and described in .2812(i) of these rules.

26. Is it okay to use a water cooler dispenser with disposable cups for drinking water?

Water cooler dispensers are allowed to be used under these rules. Please note that water coolers that dispense hot water may be a ~~critical~~ violation .2815(e) if accessible to children.

27. In one of our classrooms, we only have one sink which we use for handwashing and handwashing for diaper changing. So, we disinfect that sink after each use, correct?

Rule 2818(c) requires lavatories be cleaned and disinfected with each change of use. Change of use occurs when a handwash lavatory is used outside of its original intent. When the classroom handwash lavatory is used for diaper changing handwashing, cleaning and disinfecting must take place prior to the activity of diapering and again once this activity is completed. If multiple concurrent diaper changes occur after the initial change of use, another change of use is not required between the diaper changes. However, once diapering is completed, cleaning and

disinfecting of the sink will be required to convert the sink back to its original intent as the classroom handwash lavatory. Please note, other programs may have additional requirements such as NC Rating Scale.

28. Disinfecting or sanitizing for change of use?

Rule 2818(c) requires lavatories be cleaned and disinfected with each change of use.

29. Must observe the change of use clean/disinfect not happening when needed to count as violation. If just ask PIC about their procedure, if wrong, then just verbal "learning" explanation given?

Yes. Rule .2834(h) states that demerits shall be assessed based on actual violations of the rules observed during the inspection. Educating operators should always be a part of the sanitation inspection.

30. What type of floor barrier would you recommend we use in the bathroom when changing children who had accidents? Can you provide examples of "approved floor barrier"? Where would the floor barrier be required to be stored?

Rule 2819(b) requires if diapering is performed on the floor in a toilet room, then a smooth, intact, nonabsorbent barrier that is clean and in good repair shall be placed on the floor to minimize contamination. The floor barrier should be of sufficient size, large enough to cover the changing surface and to minimize contamination during the removal of the diaper or pull-up. Examples of approved floor barriers include, nonabsorbent mats, nonabsorbent medical paper, etc. If using a mat, the mat should be stored in the toilet room in a convenient, easy to access area that reduces opportunities for contamination and out of reach of children.

31. Do these rules apply to Family Child Care Homes (FCCH) also?

The NC Child Care Sanitation Rules regulate facilities identified per DCDEE as child care centers not family child care homes. Some counties have local ordinances that require inspections for FCCH.

32. What type of sanitizing liquid can we use. Can we use Lysol and bleach together or one or the other. what else can we use?

Refer to .2812 and the definitions of sanitizer approved for food contact surfaces, etc.. Products that contain Ammonia should never be mixed with products containing Chlorine. Chemical products should be used in accordance with manufacturer directions. .2812(B)(5)(E) Other sanitizing products, procedures, or equipment that are nontoxic to children, used according to the manufacturer's instructions, are safe for use on food-contact surfaces, do not require a final rinse step, and have a testing method.

33. If sink used for general handwashing and for toy cleaning.. Don't need a change of use after each handwashing, but just before and after toy cleaning so ready for handwashing? **Correct.** *Please refer to answer for question #27.*

34. Can you define other warnings, or give specific examples of other warnings? Is there a definition to what is/is not a warning?

Rule .2820(b) requires products labeled "keep out of reach of children" and have additional warnings be stored locked. Example of other warnings include terms such as harmful if swallowed, may cause eye irritation, may cause skin irritation, etc.

35. Do we need to label as detergent solution or still use the term soapy water?

Rule .2820(c) states that these solutions shall be labeled as a detergent solution. However, since a detergent solution is defined as being comprised of soap and water then a solution labeled as soapy water would not be a violation.

36. Where are the designated emergency medicines defined?
<https://ehs.dph.ncdhhs.gov/hhccehb/cehu/ccs/docs/CC-04-03-09EmergencyMedicationStorage.pdf>
Designated Emergency Medication are defined in .2801(11). "Designated Emergency Medication" means a medication needed to immediately treat a life-threatening medical event that is administered in accordance with 10A NCAC 09 .0803(10) and G.S. 110-102.1A.
37. in the diapering changing methods, if the employee is wearing gloves, do they have to change gloves instead of wiping their hands along with the child or do they just skip that part?
Yes. Rule .2819(d)(5) requires both the child's hand and the cc center employee's hand be wiped with a separate disposable towelette or moistened paper towel regardless if gloves are worn during the diapering process.
38. Do they need a letter from fire/building code regarding the lock?
A letter is not required from fire/building code regarding the lock. However, for compliance issues, local Environmental Health Specialists should have child care centers contact their local building/fire code inspector or Fire Marshal's Office to determine how to appropriately lock kitchen doors. Child care operators should also contact DCDEE to request the license restriction when required.
<https://ehs.dph.ncdhhs.gov/hhccehb/cehu/ccs/docs/Schoolbasedcenters-hazardousstorage-lockedkitchens.pdf>
39. Question: Filing cabinet 2ft with key lock. Can an employee purse be in there?
Yes. .2820(g) Purses and other personal effects belonging to child care center employees shall be kept inaccessible to children and shall be stored in accordance with this Rule, as applicable.
40. Storage of laundry / clean from unclean, is marked under .2820a or 2821a?
Rule .2820 requires laundry that is not clean, be handled and stored separately from clean laundry using separate containers that are made clean between uses and kept in good repair. Violation of this rule will be assessed 2 demerits under item #31.
41. In .2822(b) there, is that only toys that need to be sanitized, ie toys in rooms where children are not toilet trained?
All toys are required to be kept clean and in good repair. However, rule .2822(b) requires that in rooms designated for children who are not toilet trained, toys and other mouth contact surfaces that are used by children shall be cleaned and sanitized after each use and when visibly dirty by the prescribed method.
42. What if the childcare center uses cots and the only linen provided is a blanket sent from home? Is that allowed?
Rule .2821(f) requires that the linen be large enough to cover the bed, cot or mat's sleeping surface. Note that the sleeping surface must remain covered while the child is on the mat. If the linen used does not cover the entire sleeping surface while in use, then that linen is considered inadequate. Caregivers must ensure that the sleeping surface is covered at all times during use regardless if it is a sheet, blanket, etc..
43. David's last slide: Issues related to V/D plan were listed under both violation 41 & 42. Please clarify difference. Do we need to post the clean-up plan in every room.
Rules 2827(d), requires child care centers to have written procedures that employees shall follow when responding to vomiting or diarrheal events that involve the discharge of vomit or fecal matter onto surfaces in the center. Item #41 is marked if it observed that the procedure is not

followed, which is a 4- point demerit item. Item #42, which is a 2-point demerit item, is marked when the written procedure is not available and kept on file. The written procedure does not have to be posted but must be kept on file. Employees should be trained on how to execute the written plan. The written procedure covered during the training and posted on the training site can be used to meet child care centers' requirement for the written plan.

44. Can breast milk be stored in a dorm fridge?

Yes, however, rule .2404(e) requires any frozen human milk stored beyond seven days shall be stored in the freezer compartment of a full-size refrigerator that has a separate door to the freezer, in a chest freezer, or in an upright deep freezer. Note that per these rules, the term breast milk is now called human milk.

45. Are hermit crabs acceptable?

Hermit crabs are strongly discouraged; however, they are not specifically prohibited. All invertebrates are potential carriers of infectious diseases, such as Salmonella. We recommend advising the operator to remove the hermit crab(s) from the premises and documenting the recommendation on the comment addendum sheet.

46. Is broken equipment removed from areas accessible to children, but still On premises a violation?

If the broken equipment is located on the premises and create conditions that are violations of other rules, for example ~~under~~ rule .2832(a) "creates conditions that attract or harbor pests" or "not stored to prevent the collection of standing water", then this would still be a violation even if not accessible to children.

47. Will the CCA Pressure Treated Wood Form be modified?

The current CCA Pressure Treated form is a useful tool and is still applicable. No modifications are needed at this time.

<https://ehs.dph.ncdhhs.gov/hhccehb/cehu/ccs/docs/CCAWoodP.2.pdf>

48. So, before EHS performs the first inspection to send to DCDEE to get their license, they need to have water sample results first?

No. The Env Health Specialist must verify that the lead water sample has been collected., However, it will be up to DCDEE to confirm that the results are received and are not in exceedance of the lead water hazard. If verification that the water sample has been collected at the time of the inspection , then the EHS can still issue a superior rating. We ask that Env Health Specialists note on the comment addendum that results have not yet been received. DCDEE waits for the water results as part of their licensing procedure.

49. How long does the water lead test last?/How do I get a new water test?

Rule .2816 requires lead water testing every three years. Centers will be contacted by Clean Water For Carolina Kids to re-enroll in the electronic portal as part of the process for the second round of testing.

50. If we have a cleaning crew that cleans the vomit up do they also need the clean-up kit? **Yes**

51. Sandboxes "covered" options- waterproof direct cover? pergola above? roof?

Rule 2832(a)(2) requires a sandbox be covered when not in use. A direct cover is needed, but the cover cannot create standing water. The intent of the rule is to prevent cats or other animals from defecating in the sand, so a roof or shade cover does not satisfy the rule. Contact DCDEE to determine what type of material for covers would be approved to ensure that suffocation and trapping of the children is not an issue.

52. Definition of sandbox?

We do not have a definition for sandbox. However, some areas will naturally have a lot of sand, or have sand added to a playground but would not necessarily be deemed a sandbox. Sandboxes are usually contained within a border. Specific issues would have to be addressed on a case-by-case basis.

53. If the disinfectant is too strong/ higher concentration, would that be marked under 26?

Yes, that violation would be marked under #26; not under #25.

54. What is an area not accessible to children in regard to hot water (120F)?

Rule .2815(e) states that hot water that exceeds 120 degrees shall not be provided in areas accessible to children. Therefore, all areas that provide water ~~at or~~ above this temperature must be made inaccessible to children. See the below written guidance.

<https://ehs.dph.ncdhhs.gov/docs/position/PositionStatementKitchenAccessibilityinChildCareCenters-2016Revised.pdf>

55. Is there a cost for lead water sampling with clean water for Carolina Kids this round or is it free like it was initially?

The cost is free as long as procedures provided by Clean Water for Carolina Kids are followed such as re-enrolling in the electronic portal.

56. I have a student who brings lunch daily, chicken nuggets, in a thermos. Will that suffice?

Yes, that will suffice as long as all the requirements including the written permission from the parent or guardian are met.

57. Can a bottle of breast milk be thawed in a bottle warmer for immediate use?

There is no rule prohibiting this, however bottle warming equipment and vessels must be used per manufacturer instructions and meet the requirements of .2810(f).

58. Do highchair trays need a 3 compartment sink?

No. In accordance to rule .2810 (a) only a two-compartment sink is required.

59. Did you say with the bottle warmers we can't use the sink that we use for hand washing or did I misunderstand?

Rule .2810(f) states that water from a handwash lavatory shall not be used for bottle warming or to prepare formula, mix dry cereals or other foods.

60. If you feed in a highchair, food is on a plate that is washed in commercial dishwasher, does the tray still have to be washed in kitchen in commercial dishwasher?

Yes. The highchair feeding chair will be required to be washed, rinsed and sanitized in accordance with .2812(f).

61. Do you have a website for the company we need to get lead test from?

<https://www.cleanwaterforcarolinakids.org/>

62. Please explain diapering changing again in reference to the clean wipe. Is it adult before child or child before adult?

Rule .2819(d)(5) does not indicate an order as long as the child's hands and the caregiver's hands are wiped with separate wipes. Demerits should not be assessed for the order in which hands are wiped.

63. If the sick child area is designated to be an office space, are we to ensure that all chemicals should be stored inaccessible in this office space?

Yes. If the office is designated as the designated sick area or the office is accessible ~~space~~ to children during the inspection, the chemicals in that office must be stored in accordance with rule .2820.

64. Who at DHHS is reviewing the chain plans?

DHHS Children's Environmental Health Plan Review Committee will review new "chain or franchise child care center" plans. Modifications to existing franchise child care centers are to be reviewed by the local county health department.

65. Will there be a certificate for this training? Since we attended training today, do we have to do the two other trainings?

There will not be a certificate created for this training. All trainings will cover the same material. Attending other trainings is not required.

66. How many hours will be submitted for this meeting?

Hours will be based on the actual time of the training versus the posted agenda. We are revamping the agenda but based on the computed times for this training 4.25 hours will be submitted for approval.